

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police - CID., A.P. - Criminal cases - Cr.No.25/05 U/Sec.468, 471,409, 420, 120(b) r/w 34 IPC of Robertsonpet PS, Machilipatnam Krishna District - Prosecution of Government Servants - Sanction Accorded.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (E2) DEPARTMENT

G.O.Ms.No. 66

Dated:16-2-2010

Read the following:

1. Letter in C.No.4524/C2/CID/2006 of Addl.DGP. CID, A.P. Hyderabad.
2. Cr.No.25/05 U/Sec, 468, 471, 409, 420,126(b) r/w 34 IPC of Robertsonpet PS, Machilipatnam of Krishna District.

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ORDER :

Whereas, Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam, is a Public Servant within the meaning of Clause(C) of Sub-Section (1) of Section 2 of Prevention of Corruption Act, 1988(Central Act 49 of 1988).

And Whereas, it is alleged that in Cr.No.25/05 U/Sec. 468, 471, 409, 420, 120(b) r/w 34 IPC of Robertsonpet PS, Machilipatnam of Krishna District against one Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam, including others while functioning as a Public Servant actuated with corrupt motive and in abuse of his official position misappropriated the municipal funds and the commission of crime came to light, that they found Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam liable for prosecution under sections 468, 471, 409, 420, 120(b) r/w 34 IPC and sought permission of the Government to prosecute Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam.

And Whereas, it is alleged that A2) Jogi Nancharaiah worked as B8 Assistant Shoroff, in Municipal Office, Machilipatnam from 01.06.2002 to 26.11.2004. Though there are 144 unpaid challans he fraudulently showed them as paid up challans. A2) J.Nancharaiah, A1, L.Ramudu, A4(in charge sheet -1) M.venkateswara Rao, A2) J.Nancharaiah A1, L.Ramudu, A3. Veerisettti Nageswara Rao, Manager, A20 J.Nancharaiah A1. L.Ramudu, A4) Gadamsetti Satya Rao, A2. J.Nancharaiah, A1. L.Ramudu, A5. Katta Anjaiah during their period in the office, connived with one or other and in pursuance of their conspiracy they have dishonestly and fraudulently knocked away the general fund amounts of Rs.4,18,805/- Rs.31,99,657/- Rs.5,23,030/- Rs.62,25,199/- respectively by not depositing into SBI, Main Branch, Machilipatnam. A2. J.Nancharaiah A1. L.Ramudu, A3) Veerisettti Nageswara Rao, A2.J.Nancharaiah A1. L.Ramudu, A4 Gadamsetti Satya Rao (in charge sheet-2) A2. J.Nancharaiah A1, L.Ramudu, a3. Katta Anjaiah during their period in the office connived with each other and in pursuance of their conspiracy they have

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dishonestly and fraudulently knocked away 85% Library cess amount of Rs.44,404/- Rs.5,724/- Rs.13,556/- by not depositing the money into SBI, Main Branch, Machilipatnam. A2. J.Nancharaiah A1) L.Ramudu, A3) Veeriseti Nageswara Rao, A2) J.Nancharaiah A1) L.Ramudu, A3) katta Anjaiah during their period in the office connived with each other and in pursuance of their conspiracy they have dishonestly and fraudulently knocked away 85% Library cess amount of Rs.44,404/- Rs.5,724/- Rs.13,556/- by not depositing the money into SBI, Main Branch, Machilipatnam. A2. J.Nancharaiah A1) L.Ramudu, A6) P.V.Rao, B2 Clerk A4) M.V.Rao, Accountant A3) Veeriseti Nageswara Rao connived with each other and prepared the requisition for LOC 76 for Rs.47,00,000/- which contains two fake challans and thus caused loss of Rs.1,67,201/- to the municipality, with A5) K.Surya Prakasa Rao prepared the requisition for LOC 92 for Rs.49,00,000/- which contains one fake challan and thus caused loss of Rs.1,07,679/- to the municipality, with A9) T.Paul Prasad, B2 Assistant A6) K.S.P.Rao, Accountant and A5) Katta Anjaiah, Manager prepared the requisition for LOC 104, for Rs.38,00,000/- (which contains two fake challans) and thus caused loss of Rs.18,110/- LOC 107, for Rs.47,50,000/- which contains 4 fake challans and thus caused loss of Rs.3,18,698/- LOC 108 for Rs.48,00,000/- which contains 3 fake challans and thus caused loss of Rs.1,33,115/- LOC 109 for Rs.54,00,000/- which contains 4 fake challans and thus caused loss of Rs.4,15,830/- LOC 110 for Rs.35,00,000/- which contains 2 fake challans and thus caused loss of Rs.78,958/- LOC 111 for Rs.19,00,000/- which contains 2 fake challans and thus caused loss of Rs.1,36,676/- LOC 112 for Rs.34,50,000/- which contains 2 fake challans and thus caused loss of Rs.33,316/- LOC 113, for Rs.26,50,000/- which contains 6 fake challans and thus caused loss of Rs.4,47,381/- LOC 114 for Rs.28,00,000/- which contains 3 fake challans and thus caused loss of Rs.83,240/- LOC 115 for Rs.32,00,000/- which contains one (1) fake challan and thus caused loss of Rs.96,748/- LOC 116 for Rs.36,50,000/- which contains 3 fake chaallns and thus caused loss of Rs.2,28,041/- LOC 117 for Rs.21,50,000/- which contains 2 fake challans and thus caused loss of Rs.4,71,951/- to the Municipality. FSL opinion vide DOC/312/2007 dated 09.05.2008 proves the above offence. Thus the above accused of Machilipatnam Municipality in connivance with other accused in District Treasury Office, Machilipatnam fraudulently and dishonestly misappropriated the Municipal funds of various categories viz General fund of Rs.1,03,66,691/- , 85% of Library cess of Rs.63,684/- and responsible for excess drawal of letter of credit amounts (LOC 76 --- Rs.1,67,201/-, LOC 92 --- Rs.1,07,679/- LOC 104 --- Rs.18,110/- LOC 107 --- Rs.3,18,698/- LOC 108 --- Rs.1,33,115/- LOC 109 --- Rs.4,15,830/- LOC 110 --- Rs.78,958/- LOC 111 --- Rs.1,36,676/- LOC 112 --- Rs.33,316/- LOC 113 --- Rs.4,47,381/- LOC 114 --- Rs.83,240/- LOC 115 --- Rs.96,478/- LOC 116 --- Rs.2,28,041/- LOC 117 --- Rs.2,28,041/-) all to a tune of Rs.1,30,82,814/-.

And Whereas, the said acts of the said Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam constitutes an offence punishable u/s 468, 471, 409, 420, 120(b) r/w 34 IPC and under Section 13(2) Read with 13(1)(C) of prevention of corruption Act, 1988 (Central Act, 49 of 1988).

And Whereas, the Government of Andhra Pradesh after fully and carefully examining the material, placed before them in respect of the said allegation and the circumstances of the case, consider that the said Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam, should be prosecuted in a Court of Law for the afore said offence.

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Now, therefore in exercise of the power conferred by Clause (b) of Sub-Section (1) of section 19 Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) and Section 197 of the code of Criminal Procedure, 1973, the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Jogi Nancharaiah, S/o Lavanna, 38 yrs, the then Assistant Shoroff in Municipal Office, Machilipatnam for the aforesaid offences punishable under any other provisions of Law in respect of the aforesaid Act and for taking cognizance of the said offence by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(T.S. APPA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General and Inspector General of Police, A.P. Hyderabad
The Addl. Director General, of Police, CID, A.P. Hyderabad
The Deputy Superintendent of Police, CID, RCIU, Vijayawada

// FORWARDED BY ORDER //

SECTION OFFICER